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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010350392026**+ **ARB.P. 1330/2026****GIAN CHAND MANCHANDA & ANR.Petitioners****Through: Mr. Nitin Mittal, Adv.****versus****NAMITA ARORA & ANR.Respondents****Through: Mr. Vineet Kumar alongwith
Mr. Sanjay and Satbeer, Advs.****CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****JUDGMENT(ORAL)**% **06.10.2026**

1. Mr. Vineet Kumar, learned Counsel appearing for the Respondents submits that matter may be referred to mediation for amicable settlement and if mediation fails then dispute can be adjudicated through arbitration.

2. Learned Counsel for the parties, on instructions, jointly pray that the present matters may be referred to mediation to explore the possibility of amicable settlement of disputes.

3. Acceding to the same, the matter is referred to Delhi High Court Mediation and Conciliation (SAMADHAN) and the parties are directed to appear in person or through their authorized representative along with their respective Counsel before the Mediation Centre on 13.10.2026.



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4. Three weeks' time is granted for exploring the possibility of settlement through mediation.
5. If mediation fails, the parties are also *ad idem* with respect to reference of the disputes to arbitration. There is no dispute with regard to the existence of a valid arbitration agreement between the parties.
6. It is well settled that while exercising jurisdiction under Section 11 of the Act, the scope of enquiry is confined to examining the *prima facie* existence of an arbitration agreement¹.
7. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator.
8. Accordingly, Mr. Karan Malik, Advocate, (Mob. No.9999685548) is appointed as a learned Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference within three weeks from the date of the mediation report recording failure of settlement.
9. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within three weeks of entering reference.
10. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre ("DIAC"). The learned

¹ **SBI General Insurance Co. Ltd. v. Krish Spinning 2024 SCC OnLine SC 1754**



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Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

11. It shall be open to the parties to raise all pleas, including objection as to arbitrability and jurisdiction, before the learned Sole Arbitrator who shall decide the same in accordance with law.

12. It is clarified that the observations made herein are only for the purpose of deciding the present petition under Section 11(6) of the Act. The learned Sole Arbitrator shall adjudicate the disputes with claims and counter claims independently and on their own merits, uninfluenced by any observations contained in the present order.

13. The Registry is directed to send a receipt of this order to Mr. Karan Malik, learned Arbitrator through all permissible modes including email.

14. Accordingly, the present petition is disposed of in the above terms.

OM PRAKASH SHUKLA, J

OCTOBER 6, 2026/at